HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT APPEAL NO. 1311 OF 2006

Between:

Naganna

..... Appellant

AND

The Joint Collector, Anantapur & others

.....Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri O. Manohar Reddy

Counsel for the respondents : Assistant Government Pleader for Revenue

Dated: 15.12.2006

Per G.S.SINGHVI, CJ

This appeal is directed against order dated 19.09.2006 vide which the learned Single Judge dismissed the writ petition filed by the appellant for quashing order dated 07.04.2000 passed by Mandal Revenue Officer, Kanekal Mandal, Anantapur District.

After making some submissions, Shri O. Manohar Reddy, learned counsel for the appellant made a request that his client may be permitted to withdraw this appeal as also Writ Petition No.17327 of 2006 with liberty to avail the remedy of appeal.

Learned Assistant Government Pleader for Revenue says that she does not have any objection.

In view of the above, the request of Shri O. Manohar Reddy is accepted and this appeal and Writ petition No.17327 of 2006 are dismissed with liberty to the appellant to avail the remedy of appeal against order dated 07.04.2000. However, it is made clear that this

order shall not be construed as a mandate of the Court for entertaining the appeal after more than six years and it will be open to the competent authority to take appropriate decision in the matter after objectively considering the plea of the appellant.

While disposing of the appeal in the manner indicated above, we make it clear that the observations made by the learned Single Judge on the merits of the appellant's case shall not prejudice his cause in the appeal, which may be filed by him before the Land Reforms Appellate Tribunal.

As a sequel to dismissal of the appeal, W.A.M.P.No.2779 of 2006 filed by the appellant for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

15.12.2006
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